



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Confirmation No.: 1690

Sherri M. BROWN *et al.*

Art Unit: 1634

Appl. No.: 09/955,216

Examiner: Sarae L. Bausch

Filed: September 19, 2001

Atty. Docket: 16517.257

For: **Nucleic Acid Molecules and Other Molecules Associated with the Gibberellin Pathway**

**Notice of Appeal from the Examiner to the
Board of Patent Appeals and Interferences**

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed May 5, 2004, that resulted in Applicants having claims that have been twice or finally rejected.

Authorization to charge the official fee for this filing is given in the accompanying transmittal letter.

Respectfully submitted,

David R. Marsh (Reg. No. 41,408)

Thomas E. Holsten (Reg. No. 46,098)

Date: August 5, 2004

ARNOLD & PORTER LLP

Attn: IP Docketing

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August 5, 2004

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Art Unit: 1634
Examiner: Sarae L. Bausch
Conf. No.: 1690

Re: U.S. Patent Application No. 09/955,216 filed September 19, 2001
Inventors: Sherri M. BROWN *et al.*
Title: Nucleic Acid Molecules and Other Molecules Associated
with the Gibberellin Pathway
Atty. Dkt: 16517.257

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

1. Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences; and
2. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Authorization is hereby given to charge the statutory fee of \$330.00 for filing a Notice of Appeal to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docket number 16517.257. A duplicate copy of this letter is enclosed.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any additional fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docket number 16517.257.

Respectfully submitted,

Thomas E. Holsten (Reg. No. 46,098)

Enclosures